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COMMISSION ON HUMAN RIGHTS

Subcommission on Prevention of
Discrimination and Protection
of Minorities
Working Group on Indigenous Populations
Thirteenth session
24-28 July 1995
Item 9 of the provisional agenda

CONSIDERATION OF A PERMANENT FORUM FOR INDIGENOUS PEOPLE

Information received from Governments

GE.95-12752 (E)

Introduction

1. The General Assembly in its resolution 48/163 of 21 December 1993 requested the Commission on Human Rights to give priority consideration to the establishment within the United Nations of a permanent forum for indigenous people. In its resolution 1994/28 of 4 March 1994, the Commission on Human Rights requested the Assistant Secretary-General for Human Rights to invite Governments and indigenous organizations to express their views on this question, and to transmit to the twelfth session of the Working Group on Indigenous Populations contributions received together with a technical note addressing institutional issues. A technical note by the secretariat was contained in document E/CN.4/Sub.2/AC.4/1994/11. Information submitted by Governments and indigenous organizations was contained in document E/CN.4/Sub.2/AC.4/1994/11/Add. 1 and 2. A note by the Chairperson-Rapporteur was also submitted to the twelfth session of the Working Group and was contained in document E/CN.4/Sub.2/AC.4/1994/13.

2. In its resolution 1994/50 of 26 August 1994, the Subcommission requested the Secretary-General to invite Governments and indigenous organizations to express their views concerning the possible establishment of a permanent forum and to report on the comments and suggestions received to the Working Group at its thirteenth session. The Subcommission also recommended that the Centre for Human Rights organize a workshop on the permanent forum with the participation of Governments, indigenous organizations and independent experts. The Commission on Human Rights, in its resolution 1995/30 of 3 March 1995, endorsed the recommendation that the Centre for Human Rights organize a workshop and that the outcome be transmitted to the Working Group at its thirteenth session. The outcome of the workshop on the permanent forum, held at Copenhagen on 26-28 June 1995, is contained in document E/CN.4/Sub.2/AC.4/1995/7. The present addendum contains the contributions received from Governments as at 1 June 1995. Any other communications will be contained in further addenda to the secretariat note.

ETHIOPIA

[Original: English]
[12 December 1994]

3. In a letter dated 12 December 1994, the Transitional Government of Ethiopia expressed its support for the establishment of a permanent forum for indigenous people within the United Nations system.

MYANMAR

[Original: English]
[20 July 1994]

4. The Government of Myanmar conveyed the view that there already exist within the United Nations system the Commission on Human Rights, the Subcommission on Prevention of Discrimination and Protection of Minorities and the Working Group on Indigenous Populations to deal with the matters relating to indigenous populations. The Working Group on Indigenous Populations, in

particular, has been entrusted with the specific task of addressing the issues relating to indigenous populations, including the standard-setting function.

5. For this reason, the Government of Myanmar believes that there is no need to establish a new separate permanent forum for indigenous people within the United Nations system. As a matter of principle, Myanmar does not favour the unnecessary proliferation of United Nations organs and mechanisms and the duplication of the functions of these bodies. Accordingly, the Government of Myanmar is of the view that it is advisable to make more effective and proper use of the existing forums dealing with indigenous populations rather than creating a new body that will only result in duplication.

NIGER

[Original: French]
[22 December 1994]

6. Having ratified the Universal Declaration of Human Rights and the two International Covenants which form the basis of the United Nations draft declaration on the rights of indigenous peoples, Niger could hardly oppose the establishment within the United Nations of a permanent structure for indigenous peoples. It had, nevertheless, several legitimate concerns:

(a) The siphoning off of funds allocated to existing activities;

(b) The plethora of United Nations specialized agencies - in view of the precarious financial situation of the Organization and the existence of bodies working in the general areas of population and human rights;

(c) The risk of creating a registry office without any decision-making power;

(d) The extent to which representatives of "indigenous peoples" will actually participate in the structure which is intended to serve them.

7. Establishing within the United Nations systems a permanent structure for indigenous peoples, who have long been victims of discrimination, would be an innovation beneficial to the international community as a whole and to these target groups in particular. It would no doubt contribute to the promotion and observance of human rights and the minimum norms and standards of civilized conduct needed to ensure cohesion among population groups and to guarantee international peace.

SWEDEN

[Original: English]
[27 March 1995]

8. Sweden welcomes the idea of establishing a permanent forum for indigenous peoples set up on the basis of full consultation and collaboration with indigenous people.

9. The general aim of the International Decade for the World's Indigenous People to strengthen international cooperation in areas such as human rights, the environment, development, education and health, in full consultation and cooperation with indigenous people, should also guide the work of the permanent forum.

10. Transparency and involvement of indigenous people will be key elements in the establishment of the forum. The forum should include representatives of indigenous people and should be open to State representation, as well as to specialized agencies and other relevant bodies of the United Nations. Regular contacts between the permanent forum and the focal point within the Centre for Human Rights, as well as with the Coordinator of the Decade, are to be encouraged. The permanent forum should be in a position to identify problems affecting the situation of indigenous people worldwide, with a view to finding possible solutions to them.

ZAMBIA

[Original: English]
[13 July 1994]

11. Zambia welcomes the establishment of a permanent forum in the United Nations for indigenous peoples. At the international level Zambia has traditionally been a strong supporter of the rights and freedoms of indigenous peoples. This is evidenced by action taken in respect of the liberation of southern Africa and the eradication of apartheid in South Africa.

12. Furthermore Zambia hopes that the creation of such a forum will help in the formulation of international standards which could be taken into account or enforced by domestic institutions that remedy discrimination and mistreatment of indigenous peoples.

13. Zambia also welcomes the creation of the forum as it will recognize and address the special needs of indigenous peoples.